UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/514,053	02/25/2000	Scott C. Harris	SCH/TRAVEL	7148

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EXAMINER
MORGAN, ROBERT W

ART UNIT	PAPER NUMBER
3626	

DATE MAILED: 11/24/2003

Please find below and/or attached an Office communication concerning this application or proceeding.

PTO-90C (Rev. 10/03)

Application No. | Applicant(s)
09/514,053 | HARRIS, SCOTT C.

Examiner | Art Unit
Robert W. Morgan | 3626

Office Action Summary

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE <u>3</u> MONTH(S) FROM
THE MAILING DATE OF THIS COMMUNICATION.
- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed
  after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any
  earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on <u>04 September 2003</u>.

2a)☐ This action is **FINAL**.   2b)☒ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is
closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) <u>1-18</u> is/are pending in the application.

     4a) Of the above claim(s) <u>19-40</u> is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) <u>1-18</u> is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

     Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

     Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. §§ 119 and 120

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

     a)☐ All b)☐ Some * c)☐ None of:

       1.☐ Certified copies of the priority documents have been received.

       2.☐ Certified copies of the priority documents have been received in Application No. _____.

       3.☐ Copies of the certified copies of the priority documents have been received in this National Stage
application from the International Bureau (PCT Rule 17.2(a)).

     * See the attached detailed Office action for a list of the certified copies not received.

13)☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application)
since a specific reference was included in the first sentence of the specification or in an Application Data Sheet.
37 CFR 1.78.

     a) ☐ The translation of the foreign language provisional application has been received.

14)☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121 since a specific
reference was included in the first sentence of the specification or in an Application Data Sheet. 37 CFR 1.78.

Attachment(s)

1)☒ Notice of References Cited (PTO-892)   4)☐ Interview Summary (PTO-413) Paper No(s). _____.

2)☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)   5)☐ Notice of Informal Patent Application (PTO-152)

3)☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) _____.   6)☐ Other: .

DETAILED ACTION

Election/Restrictions

1.   Applicant's election without traverse of Group I in Paper No. 11 is acknowledged.

Claim Rejections - 35 USC § 103

2.   The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all

obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

3.   Claims 1, 4, 8, 9, 12 14-16 and 18 are rejected under 35 U.S.C. 103(a) as being

unpatentable over U.S. Patent No. 5,948,040 to DeLorme et al. in view of U.S. Patent No.

6,578,078 to Smith et al.

As per claim 1, DeLorme et al. teaches a Travel Reservation Information Planning

System or TRIPS where users (100, Fig. 1A) using a desktop computer (105, Fig. 1A) with at

least one computer communication connection or modem link (107, Fig. 1A) and one or more

private or public computer network such as the Internet including interactive communication

with one or more third-party providers or diverse travel information, reservation,

accommodation, transportation, ticketing and/or other travel-related goods/service (see: column

13, lines 48-58). The TRIPS software allows user to construct travel plans using electronic maps

presented on the computer's display and the user selects a travel origin, travel destination, and

desired waypoints. The software also calculates, delineates and displays a travel route between

the travel origin and the travel destination via the selected waypoints (see: column 8, lines 33-

39). TRIPS input terminology or technology is not restricted to illustration in (Fig. 1C) but also

includes input means such as voice recognition, natural language, text queries, keystroke or mouse input, "virtual reality" input/output devices, map/calendar/subject-matter/transactional graphic user interface, relational data queries and/or other state-of-the-art input means known or readily implemented in the digital computer software field (see: column 23, line 64 to column 24, line 13).

DeLorme et al. fails to explicitly teach selecting a hyperlink images including a cursor and actuator that is actuated to select a beginning and end point for travel.

Smith et al. teaches a method for preserving referential integrity within a web site where hyperlinks are associated with picture icons and text block pairs and once activated by click the icon detailed information regarding the particular icons is displayed to the user (see: column 10, line 25 to column 11, line 13).

Therefore, it would have been obvious to a person of ordinary skill in the art at the time the invention was made to include the hyperlinks associated with picture icons and text block pairs as taught by Smith et al. within the Travel Reservation Information and Planning System taught by DeLorme with motivation of addressing the problem of broken hyperlinks to resources that have been moved (see: Smith et al.: column 7, lines 61-64).

As per claim 4, DeLorme et al. fails to explicitly teach displaying a calendar near the starting and ending area and allowing at least one selection of a date from the calendar.

However, DeLorme et al. teaches that the TRIPS invention works with other GUI's in addition to or as an alternative to the dynamic map display at (152, Fig. 1C). The temporal or WHEN? Main input menu (161, Fig. 1C) can be implemented or complemented by a dynamic calendar, clock and/or timetable GUI (see: column 25, lines 36-41 and column 8, lines 14-17).

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention

was made to include displaying a calendar near the staring and ending area and allowing at least

one selection of a date from the calendar within the Travel Reservation Information Planning

System as taught by DeLorme et al. with the motivation of providing a fast and readily available

way to verify dates to making travel plans.

As per claim 8, DeLorme et al. teaches the claimed displaying, on said client, information

about a selected trip from said starting area to said ending area, including information about an

amount of deviation compared with an optimum route from said starting area to said ending area.

This limitation is met by the TRIPS software sub-menu WHERE? For example a user proposes

an initial departure point and final destination point and one or more optimal routes are

computed according to the user selected parameters e.g., Quickest, Shortest, Scenic, and so forth

(see: column 29, lines 9-31).

As per claim 9, DeLorme et al. teaches the claimed amount of deviation includes

information about travel times of different routes. This limitation is met by the TRIPS software

sub-menu WHERE? For example a user proposes an initial departure point and final destination

point and one or more optimal routes are computed according to the user selected parameters

e.g., Quickest, Shortest, Scenic, and so forth (see: column 29, lines 9-31). The Examiner

considers the Quickest or Shortest route to include different times.

As per claim 12, DeLorme et al. teaches a Travel Reservation Information Planning

System or TRIPS where users (100, Fig. 1A) using a desktop computer (105, Fig. 1A) with at

least one computer communication connection or modem link (107, Fig. 1A) and one or more

private or public computer network such as the Internet including interactive communication

with one or more third-party providers or diverse travel information, reservation,

accommodation, transportation, ticketing and/or other travel-related goods/service (see: column

13, lines 48-58). The TRIPS software allows user to construct travel plans using electronic maps

presented on the computer's display and the user selects a travel origin, travel destination, and

desired waypoints. The software also calculates, delineates and displays a travel route between

the travel origin and the travel destination via the selected waypoints (see: column 8, lines 33-

39). TRIPS input terminology or technology is not restricted to illustration in (Fig. 1C) but also

includes input means such as voice recognition, natural language, text queries, keystroke or

mouse input, "virtual reality" input/output devices, map/calendar/subject-matter/transactional

graphic user interface, relational data queries and/or other state-of-the-art input means known or

readily implemented in the digital computer software field (see: column 23, line 64 to column

24, line 13). In addition, DeLorme et al. teaches that the user can optionally input preferred

modes of transportation, specify a particular airline or airport (see: column 19, lines 4-8).

DeLorme et al. fails to explicitly teach displaying a hyperlinked image including a

movable element which is movable over said hyperlinked image, and said movable element is

actuated to select an area of said hyperlinked image.

Smith et al. teaches a method for preserving referential integrity within a web site where

hyperlinks are associated with picture icons and text block pairs and once activated by click the

icon detailed information regarding the particular icons is displayed to the user (see: column 10,

line 25 to column 11, line 13).

The obviousness of combining the teachings of Smith et al. within the system of

DeLorme et al. is discussed in the rejection of claim 1, and incorporated herein.

As per claim 14, DeLorme et al. teaches the claimed processor is operative to determine a matrix of flights between all airports within an area for said begin point and all airports within an area for said end point. This limitation is met by the TRIPS software sub-menu WHERE? For example a user proposes an initial departure point and final destination point and one or more optimal routes are computed according to the user selected parameters e.g., Quickest, Shortest, Scenic, and so forth (see: column 29, lines 9-31). The Examiner considers the Quickest, Shortest and Scenic routes to be the matrix of flights between the beginning point and ending point.

As per claim 15, DeLorme et al. teaches the claimed processor is operative to determine an optimal flying route between said begin point and said end point, and display an actual selected flying route relative to said optimal flying route. This feature is met by the TRIPS software sub-menu WHERE? For example a user proposes an initial departure point and final destination point and one or more optimal routes are computed according to the user selected parameters e.g., Quickest, Shortest, Scenic, and so forth (see: column 29, lines 9-31). In addition, DeLorme further teaches that the software calculates, delineates and displays a travel route between the travel origin and the travel destination via the selected waypoints (see: column 8, lines 33-39). The Examiner considers the Quickest or Shortest route to include the optimal flying route between the beginning point and ending point.

As per claim 16, DeLorme et al. teaches the claimed processor is further operative to determine a deviation between the optimal flying route and said selected flying route. This limitation is met by the TRIPS software sub-menu WHERE? For example a user proposes an initial departure point and final destination point and one or more optimal routes are computed

according to the user selected parameters e.g., Quickest, Shortest, Scenic, and so forth (see: column 29, lines 9-31).

As per claim 18, DeLorme et al. teaches the claimed allowing a user to make a binding offer, including payment information, for any of plural airline routes between any of said begin points, and any of said end points. This limitation is met by the TRIPS output that includes the online transmission of the user's reservation requests, ticket purchase, changes, credit/payment arrangement, and so forth, directly to the third-party providers participating in TRIPS (see: column 12, lines 5-10).

4.   Claims 2, 3, 5 and 10 are rejected under 35 U.S.C. 103(a) as being unpatentable over U.S. Patent No. 5,948,040 to DeLorme et al. and U.S. Patent No. 6,578,078 to Smith et al. in view of Official Notice.

As per claim 2, DeLorme et al. teaches a Travel Reservation Information Planning System or TRIPS where users (100, Fig. 1A) using a desktop computer (105, Fig. 1A) with at least one computer communication connection or modem link (107, Fig. 1A) and one or more private or public computer network such as the Internet including interactive communication with one or more third-party providers or diverse travel information, reservation, accommodation, transportation, ticketing and/or other travel-related goods/service (see: column 13, lines 48-58). The TRIPS software allows user to construct travel plans using electronic maps presented on the computer's display and the user selects a travel origin, travel destination, and desired waypoints. The software also calculates, delineates and displays a travel route between the travel origin and the travel destination via the selected waypoints (see: column 8, lines 33-39). TRIPS input terminology or technology is not restricted to illustration in (Fig. 1C) but also

includes input means such as voice recognition, natural language, text queries, keystroke or

mouse input, "virtual reality" input/output devices, map/calendar/subject-matter/transactional

graphic user interface, relational data queries and/or other state-of-the-art input means known or

readily implemented in the digital computer software field (see: column 23, line 64 to column

24, line 13).

DeLorme et al. fails to teach:

--the claimed cursor moving element to place a cursor of the graphical user interface over

said starting area and actuating said actuator to select said starting area, and allowing said ending

area for said travel to be selected by using said cursor moving element to place the cursor of the

graphical user interface over said ending area, and actuating the actuator to indicate said end

area; and

--the claimed wherein said server interfacing program further allows at least one of said

starting area or said ending area to be changed in size to form a changed in size area, by using

said cursor moving element to change a size of said at least one, and wherein said first travel

information includes information about said changed in size area, and said travel information

received from said server includes options for different locations within said changed in size

area.

It is well known in the computer field to that graphical user interface such a cursor, which

is special on-screen indicator used with applications and operating systems such as a mouse or

other on-screen icons that move with movements of the mouse and actuators, which are disk

drive mechanism for moving the read/write heads to location of the desired track on a disk are

old and well established. Since DeLorme et al. teaches the use of electronic maps delineated to

display a travel route between the travel origin and the travel destination via the selected

waypoints (see: column 8, lines 33-39). DeLorme et al. further teaches a button used to

pan/zoom in on the selected travel route by the user (see: Fig. 5D). It would have been obvious to

one of ordinary skill in the art at the time the invention was made to include a cursor to select a

starting and ending point of the selected travel route within the Travel Reservation Information

Planning System as taught by DeLorme et al. with motivation of decreasing the amount of

keystroke entries by the user, thereby providing a more efficient and effective way of selecting a

desired travel route.

As per claim 3, DeLorme et al. teaches the claimed server computer produces an image

of a line extending between said starting point and said ending point, overlaid on said map. This

limitation is met by the TRIPS software that allows a user to construct travel plans using an

electronic map presented on the computer's display and selects a travel origin, travel destination,

and desired waypoints. DeLorme et al. further teaches that TRIPS software calculates, delineates

and displays a travel route between the travel origin and the travel destination via the selected

waypoints (see: column 8, lines 33-39).

As per claim 5, DeLorme et al. teaches the claimed line includes an indication of a stopping point between said beginning point and said ending. This feature is met by the TRIPS software that allows a user to construct travel plans using an electronic map presented on the computer's display and selects a travel origin, travel destination, and desired waypoints. DeLorme et al. further teaches that TRIPS software calculates, delineates and displays a travel route between the travel origin and the travel destination via the selected waypoints (see: column 8, lines 33-39).

As per claim 10, DeLorme et al. teaches the claimed starting area and ending area include information about airports within said areas, and said changing size is operative to add or subtract airports within said areas. The limitation is met by the button used to pan/zoom in on the selected travel route by the user (see: Fig. 5D). DeLorme et al. further teaches that the user can optionally input preferred modes of transportation, specify a particular airline or airport (see: column 19, lines 4-8).

5.   Claims 6, 7 and 13 are rejected under 35 U.S.C. 103(a) as being unpatentable over U.S. Patent No. 5,948,040 to DeLorme et al. in view of U.S. Patent No. 6,578,078 to Smith et al. as applied to claim 1 above, and further in view of U.S. Patent No. 6,606,101 to Malamud et al.

As per claim 6, DeLorme et al. and Smith et al. fail to teach the claimed client computer also displays a screen tip based on a proximity of the cursor to a portion of the hyperlinked image.

Malamud et al. teaches a system that uses information pointers where a user using an input device selects an object designated by the positioning of the cursor over at least a portion of one of the objects that is being displayed. Malamud et al. further teaches that the output device

formed by the video display, textual and/or graphical information about the selected object is

displayed in an information window adjacent to the cursor (see: column 1, lines 49-65).

One of ordinary skill in the art at the time the invention was made would have found it

obvious to include information pointer system using textual information as taught by Malamud et

al. with the system as taught by DeLorme et al. and Smith et al. with the motivation of providing

the user with information about what they are currently doing or what the user is about to do

(see: Malamud et al.: column 1, lines 44-46).

As per claim 7, DeLorme et al. and Smith et al. teach TRIPS where users (100, Fig. 1A)

using a desktop computer (105, Fig. 1A) with at least one computer communication connection

or modem link (107, Fig. 1A) and one or more private or public computer network such as the

Internet including interactive communication with one or more third-party providers or diverse

travel information, reservation, accommodation, transportation, ticketing and/or other travel-

related goods/service (see: DeLorme et al.: column 13, lines 48-58).

DeLorme et al. and Smith et al. fail to teach the claimed screen tip displayed on the

image about area of said cursor.

Malamud et al. teaches a system that uses information pointers where a user using an

input device selects an object designated by the positioning of the cursor over at least a portion

of one of the objects that is being displayed. Malamud et al. further teaches that the output device

formed by the video display, textual and/or graphical information about the selected object is

displayed in an information window adjacent to the cursor (see: column 1, lines 49-65).

The obviousness of combining the teachings of Malamud et al. with the system of

DeLorme et al. and Smith et al. are discussed in the rejection of claim 6, and incorporated herein.

As per claim 13, it is rejected for the same reasons set forth in claim 7.

6.   Claims 11 and 17 are rejected under 35 U.S.C. 103(a) as being unpatentable over U.S.

Patent No. 5,948,040 to DeLorme et al. in view of U.S. Patent No. 6,578,078 to Smith et al. as

applied to claim 1 above, and further in view of U.S. Patent No. 6,085,976 to Sehr.

As per claim 11, DeLorme et al. and Smith et al. teach a Travel Reservation Information

Planning System or TRIPS where users (100, Fig. 1A) using a desktop computer (105, Fig. 1A)

with at least one computer communication connection or modem link (107, Fig. 1A) and one or

more private or public computer network such as the Internet including interactive

communication with one or more third-party providers or diverse travel information, reservation,

accommodation, transportation, ticketing and/or other travel-related goods/service (see:

DeLorme et al.: column 13, lines 48-58).

DeLorme et al. and Smith et al. fails to teach a biometric information entry device at the

client computer, which allows entering biometric information that is used to access a stored

travel itinerary from the client computer.

Sehr teaches a travel system and methods of utilizing multi-application passenger card

that allow a passenger to interact with or couple to the system while planning evaluating a

particular trip including making the appropriate reservation related to a ticket and travel

information (see: column 4, lines 27-32). Sehr further teaches a biometric box (13, Fig. 1)

including a means for capturing and digitizing the biometric characteristics information (see:

column 6, lines 52-55).

One of ordinary skill in the art at the time the invention was made would have found it

obvious to include the travel system using a biometric box as taught by Sehr with the system of

DeLorme et al. and Smith et al. with the motivation of reducing administrative costs, improving

productivity and to provide a better quality of service (see: Sehr: column 2, lines 7-13).

As per claim 17, it is rejected for same reasons set forth in claim 11.

Response to Arguments

7.   Applicant's arguments with respect to claims 1-18 have been considered but are moot in

view of the new ground(s) of rejection.

Conclusion

The prior art made of record and not relied upon is considered pertinent to applicant's

disclosure.   .

In related art (6,148,260) Musk et al. teaches an interactive network directory service that

integrates both a business directory and a maps database.

In related art (6,526,351) Whitman discloses an interactive multimedia tour guide that

provides a user with directions and useful information about a selected tour.

Any inquiry concerning this communication or earlier communications from the

examiner should be directed to Robert W. Morgan whose telephone number is (703) 605-4441.

The examiner can normally be reached on 8:30 a.m. - 5:00 p.m. Mon - Fri.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's

supervisor, Joseph Thomas can be reached on (703) 305-9588. The fax phone number for the

organization where this application or proceeding is assigned is (703) 305-7687.

Any inquiry of a general nature or relating to the status of this application or proceeding

should be directed to the receptionist whose telephone number is (703) 308-1113.

/Alexander Kalinowski/
Alexander Kalinowski
Primary Examiner
AU 3626

rwm